ATTORNEYS

MCCUTCHEN DOYLE PA/6508494800

NO. 1930

San Francisco

Walnut Creek

Los Angeles

P. 1/23 Palo Alto

Taipei

1/23 # /

Affiliate Office:

MCCUTCHEN
MCCUTCHEN, DOVIE, BROWN & ENERSEN, LLP

AT

3150 Porter Drive
Palo Alto, California 94304-1212
Tel. (650) 849-4400 Fax (650) 849-4800
http://www.mccutchen.com

#10/Suppl

Fax Cover Page

Date: January 12, 2001

Name Fax Phone

To: Examiner J. Zara (703) 305-7939
USPTO, Group Art Unit 1635

From: Carol M. Gruppi

cgruppi@mdbe.com

LAW

(650) 849-4800

(650) 849-4902

Pages (including this cover page): 23

Subject:

Message:

Per your request, attached is a copy of the Supplemental Information Disclosure Statement, Form PTO-1449 and cited references which we originally filed by facsimile on January 10, 2001. If you have any questions, please give me a call.

For transmission problems, please call (650) 849-4825

Caution - Confidential

The information in this far is confidential and may also be privileged attorney-client information and attorney work product. It is intended only for the recipient(s) named above. If you aren't a named recipient or his/her authorized representative, any reading, use, copying or disclosure of this fax is strictly prohibited. If you aren't a named recipient, please call the above number (collect) now and return this fax to us by mail at the above address. Thank you.

Docket No. 21144-706

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Myles C. Cabot et al.

09/439.293

Assignee

John Wayne Cancer Institute

Filing Date:

November 12, 1999 Examiner: J. Zara

Serial No.:

Group Art Unit: 1635

Title:

Methods of Reversing Drug Resistance in Cancer Cells

Assistant Commissioner for Patents Washington, D.C. 20231

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.8(a))

Sir:

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (Facsimile No. (703) 305-3592) on the date indicated below:

- 1. Supplemental Information Disclosure Statement (2 pgs).
- 2. Form PTO-1449 (1 pg).
- References cited on Form PTO (18 pgs). 3.

Date: January 10, 2001

Name of Person Certifying:

Carol M. Gruppi Printed Name:

Signature

Docket No. 21144-706

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.6(d), I bereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner J. Zara at Facsimile No. (703) 305-3592 at a.m./p.m.

Dated: January 10, 2001

Name of Person Certifying: Printed Name: Nan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Myles C. Cabot et al.

Assignee:

John Wayne Cancer

Institute

Filing Date: Serial No.:

November 12, 1999

Examiner:

J. Zara Group Art Unit: 1635

Title:

09/439.293 Methods of Reversing Drug Resistance in Cancer Cells

Assistant Commissioner for Patents

Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Supplemental Information Disclosure Statement is filed:

 \boxtimes

After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for the fee (\$240) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

II. Copies of the Cited Items:

 \boxtimes

Copies of all of the items listed on the attached Form PTO-1449 are enclosed.

Docket No. 21144-706

III. Concise Explanation of Relevance:

A concise explanation of relevance of the items listed on Form PTO-1449 is not given.

IV. Conclusion:

Citation of the above documents shall not be construed as:

- 1. an admission that the documents are necessarily prior art with respect to the instant invention;
- 2. a representation that a search has been made, other than as described above; or
- 3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. <u>50-1189</u> Docket No. <u>21144-706</u> for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: January 10, 2001

Respectfully submitted,

y: ___

Carol M. Gruppi Registration No.: 37,34

McCutchen, Doyle, Brown & Enersen, LLP Three Embarcadero Center

San Francisco, California 94111 Telephone: (650) 849-4400

Telefax: (650) 849-4800